the Lok Sabha signed by the Secretary-General of the Lok Sabha:

"In accordance with the provisions of rule 96 of the Rules of Procedure and Conduct of Business in Lok Sabha, I am directed to enclose the Constitution (Eighty-sixth Amendment) Bill, 1995, which has been passed by Lok Sabha at its sitting held on the 2nd June, 1995, in accordance with the provisions of article 368 of the Constitution of India."

Madam, I lay the Bill on the Table.

DR. BIPLAB DASGUPTA (West Bengal): Madam, before any other business is taken up, may I mention one or two points? (*Interruptions*).

SHRIMATI JAYANTHI NATARAJAN (Tamil Nadu): Madam, before that, let us take up the Constitution Amendment. (*Interruptions*).

THE DEPUTY CHAIRMAN: That matter will be cleared in two minutes. I know that it will be cleared in two minutes. Please hear him. If there is any misunderstanding, that should be cleared. Members should not have any grievance or unhappiness on the last day of the Session. So, let us clear everything in a happy mood.

RE. ESOLUTION FOR REFERENCE OF THE PATENTS (AMENDMENT) BILL, 1995 TO SELECT COMMITTEE

DR. BIPLAB DASGUPTA: (West Bengal): Madam, at 2.45 p.m., the discussion on the Private Member's Bill started. But, suddently, in the middle of that discussion, at 3.20 p.m., the Minister of Industry Mrs. Krishna Sahi, proposed a list of names for the Select Committee on the Patents Bill. First of all it is very irregular and wrong to raise this matter in the middle of the discussion on the Private Member's Bill. It is irregular and it cannot be sustained by the conventions of the House. That is the first point. Secondly, she proposed a list of names, but the names were not circulated earlier. In the morning, we got an order paper in which a list of names was given. But that list was changed and the new one was not circulated to us.

Thirdly, she made a wrong and misleading statement. She has said that the list is based on consensus which is absolutely wrong. We had a discussion inside the Chairman's room. But, as you know, there was no consensus on this. The only consensus reached was that the composition of the Committee should reflect the composition of the House. In the House, Congressmen account for 40 per cent of the total Members and the Opposition is 60 per cent. So, on the Committee also, there should be 40 per cent from the Congress Party and 60 per cent from the Opposition. But in the list which has been given to us, out of the 21, a majority of them are Congressmen.

I would also make one or two points on the list which has been given now. Firstly, when we proposed, in the list which we gave to the Government, there was the name of Mr. G. G. Swell. Now, if you look at the list published by Parliament—Party Position in the Rajya Sabha for Different Parties...in this list there is a mention of the United Parliamentary Group in Rajya Sabha. There are eleven Members in this Group and Mr. G. G. Swell is the leader of the Group, and it is very clearly written that he is leader of the Group. In the morning we proposed his name to be included in the list. His name has been omitted. The name of another Member of his Group has been mentioned. The name of Smt. Renuka

Chowdhury has been put in without consulting the leader of the Group, which is very, very irregular. *(Interruptions)*...Madam, if you go through the list, in the first ten names it includes the name of Mrs. Renuka Chowdhury, which should not have been there. Only the name of Mr. Swell should be there. ...*(Interruptions)*...They have not consulted the leader. .. *(Interruptions)*... They have not consulted the leader. ...*(Interruptions)*... Secondly, in the list there are eleven Members who belong to the Congress-I Party. It means, there is a majority of Congressmen in the list.

THE DEPUTY CHAIRMAN: Who is the eleventh Member?

DR. BIPLAB DASGUPTA: Mr. A. K. Sen.

THE DEPUTY CHAIRMAN: Mr. A. K. Sen belongs to the Rashtriya Janata Dal. ...*(Interruptions)*...

SHRI S. JAIPAL REDDY (Andhra Pradesh): We are not for his admission. His admission was announced. ...*(Interruptions)*... We do not want to go into this... *(Interruptions)*...

SHRIMATI JAYANTHI NATARAJAN (Tamil Nadu): Madam, it is a very wrong practice...*(Interruptions)*...

THE DEPUTY CHAIRMAN: Mr. Salim, there is no need to be agitated. Let us clear the thing. If there is any doubt, you can raise it because....*(Interruptions)*...

SHRI S. JAIPAL REDDY: Madam, please allow me to speak.

DR. BIPLAB DAS GUPTA: Let me finish. I am finishing in two minutes.

THE DEPUTY CHAIRMAN: I have a list which is of 2nd June. It shows Shri A. K. Sen, Dr. Sanjaya Sinh and Shri Basant Kumar Das; the names of three Members are listed as the Members of Rashtriya Janata Dal...*(Interruptions)*...

DR. BIPLAB DASGUPTA: Let me finish.

(Interruptions)...

THE DEPUTY CHAIRMAN: Mr. Salim, I did not say anything which is hurting anybody. I am only stating the facts. In fact, it is entirely between the Opposition and the Government to discuss. I am only talking about the list which is before me. When you say something before me, I have to read it out. I have checked the name. As far as Renukaji is concerned, it is between the leader of the Group and the Government....*(Interruptions)*.

SHRI G. G. SWELL (Meghalaya): Madam, please allow me to mention something.

THE DEPUTY CHAIRMAN: I will allow you but let us go one by one....*(Interruptions)*...

प्रो० विजय कुमार मल्होत्रा (दिल्ली) : कांग्रेस के 8 बनते हैं, 11 नहीं बनते है।

DR. BIPLAB DAS GUPTA: Let me finish, Madam. ...*(Interruptions)*...Madam, let me finish. It is not only that the list is irregular, but out of twenty one Members there are nine Members from the Opposition and eleven from the Congress. It is very unfortunate. ...*(Interruptions)*... Apart from that, I feel that this is not for the first time that the Government is trying to...*(Interruptions)*... Let me finish, Madam, it is not only atrocious but ... *(Interruptions)*...

LEADER OF OPPOSITION (SHRI SIKANDER BAKHT): Madam, please allow me.

THE DEPUTY CHAIRMAN: Mr. Sikander Bakht, I will call you ...(*Interruptions*)... Mr. Biplab, you have to be a little fast. We have to pass the Bill.

DR. BIPLAB DASGUPTA: I am finishing. What I feel, Madam, is, if the Minister of Parliamentary Affairs goes in for one tactic after another, if he tries to follow the path of one-upmanship again and again, there can be no basis for a discussion. If this is the way he functions, then we will boycott the Select Committee.

THE DEPUTY CHAIRMAN: Don't go to the extreme. ...(*Interruptions*)...

SHRI G. G. SWELL: There should be a limit to their ...(*Interruptions*)...

DR. BIPLAB DASGUPTA: Madam, what I am suggesting is this. Whatever decision was purported to have been taken during the time of Private Members' Bill, that decision should be revoked, and the whole issue should be open again for discussion. A proper list should be circulated to all of us and then we should discuss it on the basis of the proper list, and a privilege motion should be moved against Mrs. Krishna Sahi who misled the House by saying that there was a consensus. She told the Chairperson then that there was a consensus. She misled the entire House. There was absolutely no consensus. So, the privilege motion should be moved against the Minister, and I am giving a notice for the privilege motion. Thank you

THE DEPUTY CHAIRMAN: That is right ...(*Interruptions*) ... Just one second. Sikander Bakhtji, what do you want to say?...(*Interruptions*)..

SHRIMATI KAMLA SINHA (Bihar): Madam, can I explain the position? Because at that time I was in the Chair, I would like to clarify it. Madam, I was in the Chair at that time and Mrs. Krishna Sahi, the Minister....(*Interruptions*)...

SHRIMATI JAYANTHI NATARAJAN: Madam, we all agreed with her.

This is not a good precedent, for a Vice-Chairman to speak. (*Interruptions*).

SHRI MD. SALIM (West Bengal): As a Member she can speak. (*Interruptions*)...

THE DEPUTY CHAIRMAN: Mr. Md. Salim, I can protect her. (*Interruptions*)....

SHRIMATI JAYANTHI NATARAJAN: Madam, I am only saying that this is not a good precedent from the Chair (*Interruptions*)...

SHRI MD. SALIM: They are a bunch of manipulators. They are manipulating. (*Interruptions*)....

THE DEPUTY CHAIRMAN: Don't get agitated. (*Interruptions*) .. I am trying to protect her. (*Interruptions*).

SHRI SURESH KALMADI (Maharashtra): You don't use such words (*Interruptions*)...

THE DEPUTY CHAIRMAN: Mr. Salim, don't get agitated I will protect her and I will also protect you. (*Interruptions*)..

SHRI MD SALIM: This is for the nth time that the Minister of Parliamentary Affairs is resorting to trickery. (*Interruptions*) . The Minister should come to the House and

apologise to the House. (*Interruptions*)...

श्री एस० एस० अहलुवालिया (बिहार) : मैडम.....मैडम....मोहम्मद सलीम से कहिए अपने शब्द वापस लें ... (व्यवधान)...मैडम, उनसे कहिए कि अपने शब्द वापस लें। ...(व्यवधान)...

श्री सिकन्दर बख्त : क्या चाहते हैं ये लोग ?.... (व्यवधान)...

†[شری سکندر بخت : کیا چاہتے ہیں یہ لوگ . . . "مداخلت"]

THE DEPUTY CHAIRMAN: Please sit down. (*Interruptions*)...

SHRI SURESH KALMADI: Madam, he should take back his words. (*Interruptions*)...

THE DEPUTY CHAIRMAN: Don't argue with him. (*Interruptions*)... I will ask him. (*Interruptions*)... I can't be heard. (*Interruptions*)... I can't be heard. (*Interruptions*)... Mr. Md. Salim, will you please sit down? (*Interruptions*)...

SHRI SURESH KALMADI: Madam, he should take back his words.

श्री सिकन्दर बख्त : सदर साहिबा, मैंने सेक्रेटेरिएट से दरख्वास्त की है कि मैं वे ऐक्जेक्ट शब्द लेना चाहता हूं जो मिनिस्टर साहब ने यहां रहते हुए कहे हैं क्योंकि सारे अपोजिशन के लोग इस पर गौर कर रहे हैं। इतना प्रोटेक्शन उनका यहां लिया जा सकता है।.....(व्यवधान).....क्या तमाशा कर रखा है इन्होंने ? ... (व्यवधान)...

†[] Transliteration in Arabic Script.

†[شری سکندر بخت : صدر صاحبہ میں نے سکریٹری سے درخواست کی ہے کہ میں وہ ایگزیکٹ شبد لینا چاہتا ہوں جو منسٹر صاحب نے یہاں رہتے ہوئے کہے ہیں کیونکہ سارے اپوزیشن کے لوگ اس پر غور کر رہے ہیں۔ اتنا پروٹیکشن انکا ہیان لیا جا سکتا ہے ..... "مداخلت" . . . کیا تماشہ کر رکھا ہے انہوں نے . . . "مداخلت" . . .]

You have manipulated. (*Interruptions*)...What is this? (*Interruptions*)...

SHRI SURESH KALMADI: We will not allow anything unless he takes back his words. (*Interruptions*)...

SHRI SIKANDER BAKHT: You have manipulated. (*Interruptions*)...

SHRIMATI JAYANTHI NATARAJAN: Madam, they lost the elections in West Bengal. That is why they are getting agitated. (*Interruptions*)... Madam, they lost the Panchayat elections in West Bengal. That is why they are getting agitated. (*Interruptions*)...

श्री एस० एस० अहलुवालिया : मैडम, उनसे कहिए कि वे अपने शब्द वापस लें। ...(व्यवधान)...

†[] Transliteration in Arabic Script.

THE DEPUTY CHAIRMAN: I alone even with two mikes, cannot have the voice of 50 people in this House. So, will you allow me to ask him to be calm and not to get agitated and make allegations? I protect all the Presiding Officers including you, Mr. [illegible] and any Member who is on the panel because you people do your job with the best of intentions and to the best of your ability. I am all the time present in the House, whether I am in the Chair or not in the Chair. I am always there in my room to help and assist you, whoever it be, and the Secretary-General and others are also there. Now I enquired of the Presiding Officer, the Panel Vice-Chairman, who was there in the Chair, she told me that Mrs Krishna Sahi came and she said that she wanted to move it when the Private Members' Business was on. To be very honest it was never done. The Private Members' Business should not be stopped or interrupted unless there is something very, very urgent. We could have waited for ten or fifteen minutes. (*Interruptions*)...

SHRI G. G. SWELL: There is nothing like that.

THE DEPUTY CHAIRMAN: We could have waited for ten minutes, fifteen minutes, half-an-hour or one hour. It could have been done. But, perhaps, she was in a hurry to go to the other House for voting or for whatever other reason. Even I don't know what list has been brought by her; otherwise, I would have guided her. I did not know about the list. When I saw it on the Television, I realised it. I called her and asked, "What is the problem?" Mr. Biplab Dasgupta came to my room very agitated. In the morning also I tried to solve an agitation not a problem, because it is my duty to bring the people together. Shuklaji is here. He was busy in the other House. He is here to answer every query of the Opposition. If you have anything to say, you can tell him. He will give his explanation. (*Interruptions*). Mr. Salim, what did you say? It has hurt the Members? You say 'sorry'. What is there? You must say 'sorry' if you said something which has hurt the Members. You should say 'sorry'.

SHRI MD. SALIM: Madam, regarding what?

THE DEPUTY CHAIRMAN: I don't know because I did not hear it. Somebody has heard it. You say 'sorry'. What is there? (*Interruptions*). Mr. Ramachandran, please sit down. (*Interruptions*). Please sit down. Mr. Ahluwalia, please sit down.

गुस्सा करने से कोई फायदा नहीं है।

We have to sit in this House. We have to pass a historic Bill today. If you are going to fight like this on words and emotions, how are we going to do the job? I, on behalf of Mr. Salim, if he had said something, say 'sorry'. He should not have said whatever he said. I do not know what he said. (*Interruptions*).

SHRIMATI JAYANTHI NATARAJAN: Madam... (*Interruptions*).

SHRI MD. SALIM: The Parliamentary Affairs Minister came to the House... (*Interruptions*). Listen to me. Have some patience. (*Interruptions*).

SHRIMATI JAYANTHI NATARAJAN: Madam, ... (*Interruptions*).

SHRI S. S. AHLUWALIA: Madam, he is one of the Members who is on the Panel of Vice-Chairmen. (*Interruptions*).

SHRI MD. SALIM: I know it. I know the difference between honesty

and dishonesty. (*Interruptions*). I know it. (*Interruptions*).

SHRIMATI JAYANTHI NATARAJAN: He used the words....(*Interruptions*).

THE DEPUTY CHAIRMAN: What words?

SHRIMATI JAYANTHI NATARAJAN: He said, "Bunch of manipulators". (*Interruptions*).

SHRIMATI KAMLA SINHA: Madam, ...(*Interruptions*).

SHRIMATI JAYANTHI NATARAJAN: Madam, the Member should be taught Parliamentary... (*Interruptions*).. They do not know...(*Interruptions*).

श्री एस० एस० अहलुवालिया : मैडम, ये पहले अपने शब्द वापस ले लें । इन्होंने जो कहा है वापस ले लें । . . . (**व्यवधान**) . . .

उपसभापति : झगड़ा करना है तो I will adjourn the House and go. I am saying 'sorry'. If the Members do not listen to me, I will adjourn the House and go. I will adjourn the House *sine die* if you don't listen to me. (*Interruptions*).

SHRI S. JAIPAL REDDY: We want to pass a very important Bill. (*Interruptions*).

THE DEPUTY CHAIRMAN: Please sit down. I will not agree to this kind of a thing. (*Interruptions*). I said 'sorry' on behalf of the Member. When the Chair is saying 'sorry', this is not the way. (*Interruptions*).

SHRI S. S. AHLUWALIA: Why is he not saying 'sorry'?

THE DEPUTY CHAIRMAN: May be he is not saying.

SHRI S. S. AHLUWALIA: Why is he not saying 'sorry'?

THE DEPUTY CHAIRMAN: If you argue with me, I will adjourn the House. (*Interruptions*). I cannot preside over this House. Anybody can come and preside over the House. I cannot preside over this House. Mr. Ahluwalia, you say 'sorry' to me first. You say 'sorry' to me. Mr. Ahluwalia, you get up and say 'sorry' to me. You cannot speak like this when I am trying to bring peace in the House. You get up and say 'sorry'.

SHRI S. S. AHLUWALIA: Madam, I did not want to hurt your sentiments.

THE DEPUTY CHAIRMAN: Of course, you did.

SHRI S. S. AHLUWALIA: I wanted to maintain decorum in the House.

THE DEPUTY CHAIRMAN: What decorum?

SHRI S. S. AHLUWALIA: The Member has accused the whole party and said, "Bunch of manipulators".

THE DEPUTY CHAIRMAN: Is this decorum? Is this the way to speak to the Chair?

SHRI S. S. AHLUWALIA: Madam he is one of the Vice-Chairmen. He uttered such words.

THE DEPUTY CHAIRMAN: Mr. Ahluwalia, is this the way to speak to the Chair? You want to maintain decorum!

श्री शिव शंकर : सदर साहिबा, इस लिस्ट की शक्ल इत्तफाक से मैंने आकर देखी क्योंकि प्राइवेट मेम्बर बिल के दौरान कुछ हुआ है । मैंने सेक्रेटेरिएट से दरयाफ्त की । पता चला कि कर्णा साही साहिबा ने प्राइवेट मेंबर बिजनेस जब चल रहा था, उस दौरान यह लिस्ट किन अल्फाज के साथ रखी ? बताया मुझे यह कहा कि कांग्रेसमय लफ्ज का इस्तेमाल किया गया ।

†[] श्री सिकंदर बख्त : सर, साहब, इस लिस्ट की शक्ल इत्तफाक से मैंने आकर देखी क्योंकि प्रायमिनिस्टर मेम्बर बिल के दौरान कुछ बयान देने वाले थे। मैंने सेक्रेटरी से दरयाफ्त की। पता चला कि कृष्णा साही साहब ने प्रायमिनिस्टर मेम्बर बिजनेस जब बोल रहा था। इस दौरान पार्लियामेंट्री के साथ रखी। बताया गया कि यह कांग्रेस लफ्ज़ के इस्तेमाल किया गया है।

SHRI G. G. SWELL: What is concenus?

THE DEPUTY CHAIRMAN: Let these be peace in the House.

श्री सिकंदर बख्त : आपके चेम्बर में सभी अपोजीशन पार्टीज के लीडर्ज मौजूद थे। पार्लियामेंटरी अफेयर्स के मिनिस्टर साहब भी तशरीफ लाए थे। वह मीटिंग काफी देर तक चली। लिस्ट के तैयार करने का आधार क्या होना चाहिए, उसकी रिपोर्टिंग सेक्रेटेरिएट ने सब के सामने आपकी मौजूदगी में की और बताया यह गया कि इस किस्म की कमेटियां जब बनती हैं तो हर पार्टी की स्ट्रेंथ के आधार पर बनती है। यह कनवेंशन रही है। वह मीटिंग जिसमें कि अपोजीशन के लोगों ने सफाई के साथ कहा था कि रूलिंग पार्टी के लोगों की जो स्ट्रेंथ है उसके हिसाब से ही अपने मैम्बर इस सेलेक्ट कमेटी में रखे जाएंगे और उसी प्रोपोरशन से अपोजीशन से भी लिये जाएंगे। किसी नतीजे पर पहुंचे बगैर वह मीटिंग डिसपर्स हो गई। यह लिस्ट किस वक्त तय्यारशुदा हुई, किस वक्त पैदा हुई, यह मालूम होना चाहिये हमको कि किस आधार पर पैदा हुई, कोई कनवेंशन, कोई कायदा पार्लियामेंटरी प्रेक्टिस का था, उसके आधार पर पैदा हुई ? मैं तफ्सीलात में नहीं जा रहा हूं। जिस वक्त यह इफ्तेदाई लिस्ट आई थी, उस इफ्तेदायी लिस्ट में खुद रूलिंग पार्टी के जिम्मेदार, कितने जिम्मेदार लोगों की राय शामिल थी। मैं किसी इंडीविजुयल का जिक्र नहीं करना चाहता हूं लेकिन सब सूरते-हाल बहुत ही तकलीफदेह है इसलिए कि एक इंडीविजुयल मालूम होता है कि वह हर रोज एक नया पैतरा, एक नयी तरकीब लेकर इस हाऊस में आते हैं और उन्होंने पूरे के पूरे हाऊस को अपनी जहनियत का खिलौना बना दिया है। यानि किस वक्त यह हुआ है, यह कहां से आ गई है, यह 21 मम्बर की लिस्ट आई कहा से है। मैं सेक्रेटेरियेट से फिर दरख्वास्त करना चाहता हूं कि कृष्णा साही साहेब ने किन लफ्जों में यह बात कही है, वह हमारे सामने आना चाहिये। हम इस लिस्ट को टोटली रिजेक्ट करते हैं। कोई आधार नहीं है इस लिस्ट का। हम यह मुतालबा करते हैं कि सेलेक्ट कमेटी की तसकील कनवेंशन के लिहाज से भी जो यहां पार्टीज की स्ट्रेंथ है, उसके आधार पर ही हो सकती है और इस किस्म की हरकतें करने की कोई जरूरत नहीं है कि जो लोग पीछे से कांग्रेस के साथ शामिल हो सकते हैं उनको कांग्रेस की लिस्ट से अलाहिदा रख कर किसी किस्म की सेलेक्ट कमेटी में अकसरियत मेनुपुलेट करने का हक नहीं दिया जा सकता रूलिंग पार्टी को। सदर साहिबा, सख्त तरीन ऐतराज है इस लिस्ट पर हम को और इसको कत्तई नामंजूर करते हैं।

†[] श्री सिकंदर बख्त : मेरे चेम्बर में सभी अपोजीशन पार्टीज के लीडर्स मौजूद थे - पार्लियामेंट्री अफेयर्स मिनिस्टर साहब भी तशरीफ लाए थे - वह मीटिंग काफी देर तक चली - लिस्ट के तैयार करने का आधार क्या होना चाहिए - उसकी रिपोर्टिंग सेक्रेटेरियट ने सब के सामने आपकी मौजूदगी में की और बताया गया कि इस किस्म की कमेटियां जब बनती हैं तो हर पार्टी की स्ट्रेंथ के आधार पर बनती है। यह कनवेंशन रही है। वह मीटिंग जिसमें कि अपोजीशन के लोगों ने सफाई के साथ कहा था कि रूलिंग पार्टी के लोगों की जो स्ट्रेंथ है उसके हिसाब से ही अपने मैम्बर इस सेलेक्ट कमेटी में रखे जाएंगे और उसी प्रोपोरशन से अपोजीशन से भी लिये जाएंगे। किसी नतीजे पर पहुंचे बगैर वह मीटिंग डिसपर्स हो गई। यह लिस्ट किस वक्त तय्यारशुदा हुई, किस वक्त पैदा हुई, यह मालूम होना चाहिये हमको कि किस आधार पर पैदा हुई, कोई कनवेंशन, कोई कायदा पार्लियामेंटरी प्रेक्टिस का था, उसके आधार पर पैदा हुई ? मैं तफ्सीलात में नहीं जा रहा हूं। जिस वक्त यह इफ्तेदाई लिस्ट आई थी, उस इफ्तेदायी लिस्ट में खुद रूलिंग पार्टी के जिम्मेदार, कितने जिम्मेदार लोगों की राय शामिल थी। मैं किसी इंडीविजुयल का जिक्र नहीं करना चाहता हूं लेकिन सब सूरते-हाल बहुत ही तकलीफदेह है इसलिए कि एक इंडीविजुयल मालूम होता है कि वह हर रोज एक नया पैतरा, एक नयी तरकीब लेकर इस हाऊस में आते हैं और उन्होंने पूरे के पूरे हाऊस को अपनी जहनियत का खिलौना बना दिया है। यानि किस वक्त यह हुआ है, यह कहां से आ गई है, यह 21 मम्बर की लिस्ट आई कहा से है। मैं सेक्रेटेरियेट से फिर दरख्वास्त करना चाहता हूं कि कृष्णा साही साहेब ने किन लफ्जों में यह बात कही है, वह हमारे सामने आना चाहिये। हम इस लिस्ट को टोटली रिजेक्ट करते हैं। कोई आधार नहीं है इस लिस्ट का। हम यह मुतालबा करते हैं कि सेलेक्ट कमेटी की तसकील कनवेंशन के लिहाज से भी जो यहां पार्टीज की स्ट्रेंथ है, उसके आधार पर ही हो सकती है और इस किस्म की हरकतें करने की कोई जरूरत नहीं है कि जो लोग पीछे से कांग्रेस के साथ शामिल हो सकते हैं उनको कांग्रेस की लिस्ट से अलाहिदा रख कर किसी किस्म की सेलेक्ट कमेटी में अकसरियत मेनुपुलेट करने का हक नहीं दिया जा सकता रूलिंग पार्टी को। सदर साहिबा, सख्त तरीन ऐतराज है इस लिस्ट पर हम को और इसको कत्तई नामंजूर करते हैं।

†[] श्री सिकंदर बख्त : मेरे चेम्बर में सभी अपोजीशन पार्टीज के लीडर्स मौजूद थे - पार्लियामेंट्री अफेयर्स मिनिस्टर साहब भी तशरीफ लाए थे - वह मीटिंग काफी देर तक चली - लिस्ट के तैयार करने का आधार क्या होना चाहिए - उसकी रिपोर्टिंग सेक्रेटेरियट ने सब के सामने आपकी मौजूदगी में की और बताया गया कि इस किस्म की कमेटियां जब बनती हैं तो हर पार्टी की स्ट्रेंथ के आधार पर बनती है। यह कनवेंशन रही है। वह मीटिंग जिसमें कि अपोजीशन के लोगों ने सफाई के साथ कहा था कि रूलिंग पार्टी के लोगों की जो स्ट्रेंथ है उसके हिसाब से ही अपने मैम्बर इस सेलेक्ट कमेटी में रखे जाएंगे और उसी प्रोपोरशन से अपोजीशन से भी लिये जाएंगे। किसी नतीजे पर पहुंचे बगैर वह मीटिंग डिसपर्स हो गई। यह लिस्ट किस वक्त तय्यारशुदा हुई, किस वक्त पैदा हुई, यह मालूम होना चाहिये हमको कि किस आधार पर पैदा हुई, कोई कनवेंशन, कोई कायदा पार्लियामेंटरी प्रेक्टिस का था, उसके आधार पर पैदा हुई ? मैं तफ्सीलात में नहीं जा रहा हूं। जिस वक्त यह इफ्तेदाई लिस्ट आई थी, उस इफ्तेदायी लिस्ट में खुद रूलिंग पार्टी के

†[] Transliteration in Arabic script.

†[] Transliteration in Arabic Script.

ہر روز ایک نیا مینٹرا - ایک نئی ترکیب
لے کر اس ہاؤس میں آتے ہیں اور انہوں
نے پورے کے پورے ہاؤس کو اپنی ذہنیت
کا کھلونا بنا دیا ہے - لیکن کی وقت ہے
ہوا ہے - یہ کہاں سے آگئی ہے - یہ ۲۱ ممبرس
کی لسٹ آئی کہاں سے - میں سمجھتا ہوں ایک
سے درخواست کرنا چاہتا ہوں کہ کرشنا
سوامی صاحب نے کس نقطوں میں بات
کہی ہے - وہ ہمارے سامنے آنا چاہیے -
ہم اس لسٹ کو ٹوکلی ریجیکٹ کرتے
ہیں - کوئی آدھار نہیں ہے اس لسٹ
کا - میرا یہ مطالبہ ہے کہ "سلیکٹ کمیٹی"
کی تشکیل کنسوشن کے لحاظ سے بل میان
پارٹیز کی" اسٹرینتھ" کے اکیلے آدھار
پر بل ہو سکتی ہے اور اس قسم کی ترمیم
کرنے کی کوئی ضرورت پیش ہے کہ جو لوگ
پیچھے سے کانگریس کے ساتھ شامل ہو
سکتے ہیں انکو کانگریس کی لسٹ سے
علیحدہ دکھلا کر کسی کی "سلیکٹ کمیٹی"
میں اکریت "مینو پلیٹ" کرنے کا
حق نہیں دیا جا سکتا اور لنگ پارٹی کو
صدر صاحب - سخت ترین اختلاف
ہے اس لسٹ پر ہم کو اور اسکو قطعی
نامنظور کرتے ہیں -

کا آدھار پر ہستی ہے - یہ "کنوشن"
ہی ہے کہ وہ میٹنگ جسمیں کہ الوزیشن
کے لوگوں نے صفائی کرنے کا کہا تھا
کہ وہ لنگ پارٹی کے لوگوں کی جو
اسٹرینتھ" ہے اسکے حاصل سے ہی
اپنے ممبرس سلیکٹ کمیٹی میں رکھے
جائینگے اور اس "پروپوزشن" سے
الوزیشن سے بچ لیا جائیگا کسی
نتیجہ پر پہنچے بغیر وہ میٹنگ ڈسپرس
ہوگئی - یہ لسٹ کس وقت تولد ہوئی
کس وقت پیدا ہوئی - یہ معلوم ہونا
چاہیے تاکہ کہ کس آدھار پر پیدا
ہوئی - کو "کنوشن" کو قائم کرنے
یا پرسیڈنٹ کی پریکٹس کا کیا اسکے
آدھار پر پیدا ہوئی - میں
تفصیلات میں نہیں جا رہا ہوں -
جس وقت یہ ابتدائی لسٹ آئی
تھی اس ابتدائی لسٹ میں خود
رولنگ پارٹی کے زمیدار - کتنے
ذمیدار لوگوں کی رولنگ شامل تھی -
میں کسی "انڈیویجول" کا ذکر نہیں
کرنا چاہتا ہوں - لیکن سب صورتحال
بہت ہی تکلیف دہ ہے - اسلئے کہ ایک
"انڈیویجول" معلوم ہوتا ہے کہ وہ

†[] Transliteration in Arabic Script.

†[] Transliteration in Arabic Script.

SHRI AJIT P. K. JOGI (Madhya Pradesh): I wish to make a request. It has nothing to do with this. Let us pass the Bill now and continue with this discussion later.

SHRI S. JAIPAL REDDY: We will pass the Bill without discussion. ... (*Interruptions*)...

SHRI AJIT P. K. JOGI: My request is that because the SC and ST Promotion Bill has come now, let us first pass it...(*Interruptions*)...

SHRIMATI JAYANTHI NATARAJAN: Some Members may not be present....(*Interruptions*)...

SHRI SIKANDER BAKHT: We agree to pass it. But first withdraw this list...(*Interruptions*)...

SHRI AJIT P. K. JOGI: Let us pass the SC-ST Bill....(*Interruptions*)...

This Bill is very important. I am speaking on behalf of the SC and ST. ...(*Interruptions*)....

THE DEPUTY CHAIRMAN: We will pass the Bill. I will give you time. ...(*Interruptions*)...

SHRIMATI JAYANTHI NATARAJAN: Some Members may not be able to sit...(*Interruptions*)...

THE DEPUTY CHAIRMAN: Jayanthiji, you know, there was no business in the House. You know how we got it from the Lok Sabha. The Members are cooperating. Everybody will sit here to get the SC/ST Bill passed. All of us are committed. In spite of everything, we will sit and pass the Bill. Don't get worried. We have 120 Members and I am quite sure everybody will be present. Most of the parties have issued whips .... (*Interruptions*)...

SHRI S. JAIPAL REDDY: We have issued whips....(*Interruptions*)...

SHRI SIKANDER BAKHT: We will sit here on behalf of the Congress also.....(*Interruptions*)....

SHRI AJIT P. K. JOGI: The Members may go as evening progresses. My request is, please continue your discussion on the Patents Bill after this...(*Interruptions*)... I am not requesting on behalf of our Minister. I am requesting you on behalf of the Scheduled Castes and the Scheduled Tribes....(*Interruptions*)...

SHRI S. JAIPAL REDDY: We are all as much concerned as you are... (*Interruptions*)...

SHRI SIKANDER BAKHT: Your own Ministers are obstructing the Bill.....(*Interruptions*)...

SHRI G. G. SWELL: Madam Deputy Chairman, I am the most backward tribal in this House. I am the most backward tribal in this House. I take pride in saying that we shall pass this Bill. I would like to challenge anybody who dares oppose this Bill. There is nobody in this House who is more backward than me. There is nobody in this House who is more forward than me. There is nobody in this House...(*Interruptions*)...

THE DEPUTY CHAIRMAN: Order in the House. That is the reason. I have been saying this right from the beginning. Unnecessarily, people are getting agitated.

SHRI S. JAIPAL REDDY: Madam, I would like to state in all seriousness and in all humility that in order to get this Bill passed, we have issued whips in our respective parties because there is a requirement that fifty per cent attendance should be there. I ensure this much attendance, we also have issued whips. We are as much anxious as anybody else is.

Coming to this subject, since we failed to reach a compromise in regard to the provisions of the Patents (Amendment) Bill, 1995, the Government and the Opposition had agreed to refer the matter to a Select Committee to see if the Select Committee could evolve a consensus. So, it was in a spirit of compromise and consensus that the decision for reference of the Bill to a Select Committee was taken. Contrary to this spirit, to this compromise, in the morning a list was produced. We took objection. Then the House suggested that the matter be thrashed out in the Chamber among the leaders of various parties. You have already said on how the list was introduced in the House in the afternoon. Not one single leader of any party here had any knowledge about the composition of the Committee. I am not objecting to the inclusion of any individual. We must agree upon the number of the Members of the Committee. If 21 is the number, I am not opposed to this. If 21 is the number of the Members of the Committee, then the Janata Dal will be entitled to two Members. The BJP will be entitled to more than three Members. I think they are entitled to four Members. Assuming that two independents are also to be considered, even then, in a Committee of 21 Members, the Congress has 10 Members.

SHRI SIKANDER BAKHT: Eight Members.

SHRI S. JAIPAL REDDY: No, ten Members. In this Committee, there are 10 Congress Members. In the morning, we pointed out that the Congress party represents about 40 per cent of the strength of the House and that quota was also not taken into consideration. That quota was exceeded and the ruling party managers do not have the privilege of picking up the Independents. There is a procedure for picking up the Independents. You consult us. You take us into confidence. In fact, I must say in fairness to a large number of Members of the ruling party that when I came into the Inner Lobby of the House in the afternoon, I did not know what had happened. A large number of Congress Members came and told me that a wrong thing had happened. I am really happy that they also felt outraged. Therefore, don't ignore the issue; don't get provoked by the language that we sometimes use, when we are agitated. We could also have used a language that did not suit your taste. But the point remains that a great irregularity has been committed and we have a feeling that we have been taken in, we have been tricked and it is not proper on the part of the ruling party managers to do such things. We record our protest and we express our deep regret.

SHRIMATI KAMLA SINHA: Madam, can I say something?

THE DEPUTY CHAIRMAN: Yes.

SHRIMATI KAMLA SINHA: Madam, I was in the Chair when the Private Member's Bill was being discussed. The Minister, Mrs. Krishna Sahi, came from the back side of the chair and she...

SHRI G. G. SWELL: *

THE DEPUTY CHAIRMAN: That comment should not go on record.

SHRIMATI KAMLA SINHA: The Minister said that there is an agreed list on the Patents Bill and she has to announce the names of the Members of the Select Committee. She asked for my permission. I said, "It cannot be done because we are discussing the Private Member's Bill." She told me that the Private Member's Bill starts

*Not recorded.

(Shrimati Kamla Sinha)

in the Lok Sabha at 3.30. She said that she was not aware of the fact. I told her that we start it at 2.30. So, it cannot be done. I told her to take it up after 5 o'clock. Then, she again came and told me that she has some business in the Lower House. She asked me for taking the sense of the House. After consulting the officers, I took the sense of the House. ...(*Interruptions*) ... At that time very few Members were present in the House.

SHRI SURESH KALMADI: You took the sense of the House?

AN HON. MEMBER: There was even no quorum. ...(*Interruptions*).

SHRIMATI KAMLA SINHA: Of course, if one goes strictly, there was no quorum at all...(*Interruptions*).

SHRI H. HANUMANTHAPPA (Karnataka) Madam, when I was on the Panel of Vice-Chairmen, I was in a similar situation ...(*Interruptions*).... The Panel Vice-Chairmen are only answerable to the Chairman. Let us not create a precedent in this House.

THE DEPUTY CHAIRMAN: I protected you and you should not worry about it.

SHRI P. UPENDRA (Andhra Pradesh): Madam, there is no precedent of a Presiding Officer...

THE DEPUTY CHAIRMAN: You need not have to explain.

SHRI CHATURANAN MISHRA (Bihar): What is the necessity?

SHRI AJIT P. K. JOGI: The Presiding Officer should not explain. ...(*Interruptions*)...

SHRI S. K. T. RAMACHANDRAN (Tamilnadu): Madam, I am on a point of order. Rule 37 of the Rules of Procedure and Conduct of Business in the Council of States:

> "No variation in the Allocation of Time Order shall be made except by the Chairman, who may make such variation if he is satisfied after taking the sense of the Council that there is a general agreement for such variation."

So, when the sense of the House was there and the Chairman agreed to it, it is not wrong...(*Interruptions*)...

THE DEPUTY CHAIRMAN: Mr. Ramachandran, I know you are still present in the House.

SHRI GURUDAS DAS GUPTA (West Bengal): Madam, I have an additional piece of information.

THE DEPUTY CHAIRMAN: What additional? Mr. Shukla is here and he will explain it.

SHRI GURUDAS DAS GUPTA: Madam, I have additional information, and let me share it with the House. We had a meeting in your Chamber and after that we had consultations. After the meeting was over, I had asked an important Member of the Government. I asked, "What is your view on that"? It was told to me that they will get a majority in the Committee, and the Government had decided it. How are we going to run this House? Shall we allow somebody very important in the Government to play havoc with us? It is useless. ...(*Interruptions*)... Madam, we are spending our time in a way in which we should not have spent. We should have passed the Bill first, but this is being thrust on us. Such a controversy, such an unusual situation, such a controversial situation

has been forced on us by somebody who is there. I wish, Madam, let it be taken note of by the hon. Minister of Parliamentary Affairs. I implore him not to behave with this House in the way it is being done. If it is so, in future the responsibility shall be with the hon. Minister of Parliamentary Affairs ... (*Interruptions*)....We shall cooperate on a particular point, but we shall not be taken for granted. Definitely, indignity is being caused ...(*Interruptions*)...

THE DEPUTY CHAIRMAN: We are getting delayed for the Bill. ....(*Interruptions*)....

SHRI GURUDAS DAS GUPTA: The system is being played with ... (*Interruptions*)....The whole system is being played with. This is not the behaviour we expect from the Government.

SHRI P. UPENDRA: Madam, I think, it is for the first time that a heated controversy has been raised about the composition of a Committee. As we all are aware, in the Committees we take a non-partisan view. I said this in the morning also. It is not necessary that the ruling party Members should support the Government. The JPC has been an example. The Members who were on the JPC know how the Congress Members had been more vocal in the Committee than the others. Therefore, we should not go into the question of minority or majority when we constitute any Committee. I do not know how this was drafted. I was not a party to it. The second thing is that Dr. Biplab Dasgupta suggested that they should revoke this and the one other Committee should be constituted. As per rule 228, a

SHRI G. G. SWELL: He has been claming 37 years ....(*Interruptions*)....We do not beat our own drums .... (*Interruptions*)....

THE DEPUTY CHAIRMAN: Let him go ahead ... (*Interruptions*)...

THE MINISTER OF WATER RESOURCES AND MINISTER OF PARLIAMENTARY AFFAIRS (SHRI VIDYACHARAN SHUKLA): After I finish, they can make their submissions through you and whatever decision is taken by the House will be accepted by us ...(*Interruptions*)... Before raising this issue, it should be understood how the whole thing developed ...(*Interruptions*)....When this portion was discussed in the Business Advisory Committee, it was decided that it should be referred to a Committee of the House, the Select Committee of the House. The composition of the Select Committee was discussed amongst ourselves in the Ministry of Parliamentary Affairs and we asked for the names of the Members from the parties...

SHRI G. G. SWELL: No name was asked from my group....(*Interruptions*).... We are a recognised group here. ...(*Interruptions*)... The parliamentary papers show that I am the leader of my group ... (*Interruptions*)....We are a recognised group...

AN HON. MEMBER: You are an Independent....(*Interruptions*)...

SHRI G. G. SWELL: Doesn't matter. But, we are a recognised group. You are defying the decision of the Chairman ... (*Interruptions*)...

AN HON. MEMBER: If you support, then we will recognise.

SHRI G. G. SWELL: If I support, I will be the best man in the

world motion once adopted, a motion of a similar nature cannot be brought in the same Session...*(Interruptions)*...The only course is that if some of the parties are aggrieved that instead of the leaders other Members have been put, they can make their Members resign and he or she can be elected. That is the only procedure ... *(Interruptions)*....

DR. BIPLAB DASGUPTA: How can that be done?

SHRI P. UPENDRA: That can be done. I also take serious exception to mentioning certain names. You go by the records and see where the Members come from. If Mr. A. K. Sen is shown as a leader of a particular group ... *(Interruptions)*...they cannot say that he is a Congressman or some such thing. You have to go by the records. I would request that hon. Members hereafter they should go by the records of the House.

SHRI G. G. SWELL: The motion was not adopted ...*(Interruptions)*... They came in a sly manner in the House ... *(Interruptions)* ...The motion was not adopted.

SHRI VIDYACHARAN SHUKLA: Madam, I will seek the indulgence of the House to hear me patiently and give me a chance to explain how all these things developed. First of all, I would like to assure the Members that I have been in this Parliament for the last 37 years....*(Interruptions)*...

SHRI G. G. SWELL: I have also been here for a long time...*(Interruptions)*... That is not a qualification.

THE DEPUTY CHAIRMAN: Let us listen to the Minister ...*(Interruptions)*... Mr. Swell, will you please let the Minister complete?

SHRI G. G. SWELL: Too long winded, too long winded. It cannot put matters straight.

SHRI VIDYACHARAN SHUKLA: Madam, we decided that we will keep a small Committee so that this matter can be discussed properly in great depth without taking much of the time. We requested all parties in the House which have more than five Members in their party to name the Members to serve the Committee.

SHRI G. SWAMINATHAN (Tamilnadu): My party has got six Members and I have not been asked to name anybody.

SHRI VIDYACHARAN SHUKLA: The names were suggested to us by the parties like BJP, JD, SP; I don't exactly remember which parties were contacted. These parties were contacted and their names were duly forwarded to us. Then, we put the Congress Members there *plus* one name in the category of "others" was put and that was Shri P. Upendra. Mr. Upendra had personal problems and, therefore, on the floor of the House he declined to join the Committee. After this there was dissatisfaction among the Opposition Members that there was no majority for the Opposition parties although they had the majority in the House. They also expressed the dissatisfaction about the names of certain Members that were in the Committee. And we were requested to come and hold discussions with you. After discussing the matter with you, we said that we wanted a cordial atmosphere and a proper Committee to be formed because we wanted results. This Committee, we know is not the be-all and end-all, it has to come back to the House where it will be decided. Unless the Committee cordially disposes of this matter, there cannot be any cordiality in or disposal by this House. Therefore,

Madam, we accepted the names that were suggested and we put our own names there. I was not aware, I was busy in the other House where the Constitutional Amendment Bill was going on. Admittedly, there has been some procedural lapse. First of all, the Private Member's Bill should not have been interrupted. I am sorry that it has been interrupted. It shows reflection on the Chairman who was presiding. may be there was some lapse, but neither the Opposition nor the person who was in the Chair nor we can be accused of playing any tricks or anybody. Nobody was playing tricks on anybody. we were actually trying to meet the Opposition's wishes and we are putting in our own names. We changed the whole thing in accordance with the discussion. Madam, the list should have been shown to you before it was Presented in the House. Unfortunately, it was not shown to you and the list was read out in the House and I am sorry to say that unnecessary allegations have been made. The list was read out here and the list was accepted by the House. *(Interruptions)*.

SHRI S. JAIPAL REDDY: You are misleading the House.

THE DEPUTY CHAIRMAN: Jaipalji, you are still in the House. Whatever he has to say he is saying. The list was read out in the House. the Minister did read the list. The quorum was not there; that is a different thing. But it was read out in the House. It was said, "Those in favour may please say 'Ayes' and those against may please say 'No'." If the quorum was not there, that is a different matter, but let the Minister say what he has to say. 6 P.M. Please, let him finish.

SHRI VIDYACHARAN SHUKLA: Hon. Members can say whatever they want later on.

THE DEPUTY CHAIRMAN: Let him finish first.

अभी इंटरप्ट मत कीजिए

SHRI VIDYACHARAN SHUKLA: Madam, let me have the opportunity to make the points which I want to.

After the Minister sought the permission of the Chair to move the Motion, she was given the permission. It is a matter of record. I am not saying anything on my own. Whatever I am saying, I am saying after checking up the record of the House. She was given the permission to move the Motion. The motion was moved and the House approved the Motion. After that, the Minister came to the other House. She informed me that certain objections were taken after the Motion was adopted. After the House finished with the voting on the Constitution (Amendment) Bill, I took the entire sequence of events from her and then came to your Chamber to seek your guidance. Then, I found that the list was not shown to you and, without showing it to you, it was brought here. I would like to express my regret and apology for not doing this because the Minister should have first brought it to your notice and then brought it to the House. It was not right for the Minister. But it was not done deliberately. It was not done as a trick.

THE DEPUTY CHAIRMAN: She was going for the voting over there.

SHRI VIDYACHARAN SHUKLA: She was required for the voting there. The voting required a certain number.

Therefore, she did it in all good faith. Unnecessary and uncalled for remarks of manipulation, of playing a trick, etc. are being made

when there was no intention to do that. There would never be any intention.

DR. BIPLAB DASGUPTA: Why did she say 'consensus'?

SHRI VIDYACHARAN SHUKLA: We will prove our *bona fides* in the Committee also. Once the Committee has been accepted, I do not know what else should be done. I do not know what more can be done in this matter. It is for the Chair to decide and give a ruling on this matter.

As far as I am concerned, I have given the entire sequence in the honest manner in which it has happened. And it is on record. We have not manipulated anything. We have not misinterpreted anything. We have not played any...

SHRI S. JAIPAL REDDY: Misrepresentation was made before us by the Minister saying that the list had been prepared in consultation with the Opposition leaders and that it was the results of a consensus. It was a blatant case of misrepresentation. (*Interruptions*).

SHRI VIDYACHARAN SHUKLA: I will sit down. You can speak. What is this, Madam? I am not yielding. How can you speak when I am on my legs? You are a senior Parliamentarian. You should know the etiquette of the House. I am not yielding to him, Madam. How can he interrupt like this?

THE DEPUTY CHAIRMAN: Mr. Jaipal Reddy, the Minister is on his legs.

SHRI S. JAIPAL REDDY: He is taxing your patience.

SHRI MD. SALIM: The Minister is beating about the bush

SHRI VIDYACHARAN SHUKLA: As far as I am concerned, I do not think the Minister was mentioning in the House or in your Chamber, when the discussions were being held, about any consensus reached. Certain directions were given by you and we tried to follow those directions. If there was any fault, we are prepared to correct that.

श्री सिकन्दर बख्त : सदर साहिबा, मैं पूरी कोशिश करूंगा कि मैं बगैर किसी फसाद के कुछ वाक्यात आपके सामने रखूं । . . . . . (व्यवधान) . . . .

†[] श्री सिकन्दर बख्त : सदर साहिबा, मैं पूरी कोशिश करूंगा कि मैं बगैर किसी फसाद के कुछ वाक्यात आपके सामने रखूं . . . . . †[]

SHRI SURESH KALMADI: Any more discussion should be only after we adopt the Constitution (Amendment) Bill. (*Interruptions*). There should be no more discussion. The Minister has made the position clear.

श्री सिकन्दर बख्त : सदर साहिबा, मैं इख्तिसार के साथ कुछ बातें आपके सामने रखना चाहता हूं । . . (व्यवधान) . .

†[] श्री सिकन्दर बख्त : सदर साहिबा - मैं इख्तिसार के साथ कुछ बातें आपके सामने रखना चाहता हूं †[]

†[] Transliteration in Arabic Script.

SHRI VIDYACHARAN SHUKLA: We should take up the Constitution (Amendment) Bill first. (*Interruptions*). Some Members have to catch their flight to go to their constituencies.

श्री सिकन्दर बख्त : सदर साहिबा, एक अहतियात हमने, जयपाल रेड्डी साहब ने, गुरुदास दासगुप्त साहब बोले, हमने अहतियात की कि किसी का नाम नहीं लिया है। उन्होंने यह कहा है कि बहुत सारे . . . (**व्यवधान**) . . . जस्ट ए मिनट . . . (**व्यवधान**) . . . एक मिनट . . . (**व्यवधान**) . . .

† [شری سکندر بخت : صدر صاحب ایک احتیاط ہم نے - جے پال ریڈی صاحب نے - گرو داس داس گپتا صاحب بولے - ہم نے احتیاط کی کسی کا نام نہیں لیا ہے - انہوں نے یہ کہا ہے کہ بہت سارے . . . "مداخلت" . . . " جسٹ اے منٹ " . . " مداخلت " ایک منٹ . . . . " مداخلت " . . .]

SHRI JAYANTHI NATARAJAN: Madam, we should take up the Constitution (Amendment) Bill. This is endless.

SHRI S. JAIPAL REDDY: What is the solution now?

SHRIMATI JAYANTHI NATARAJAN: Let us adopt the Constitution (Amendment) Bill first.

SHRI S. JAIPAL REDDY: Okay.

श्री सिकन्दर बख्त : वह बिल हम भी चाहते हैं, रात के 12:00 बजे तक बैठेंगे, वह कराएंगे, बाद में करेंगे, . . . (**व्यवधान**) . . . हमारी बात सुनिए । . . . (**व्यवधान**) . . . मुझे आपकी इजाजत की जरूरत नहीं है।

सदर साहिबा, मैं यह कहना चाहता हूं कि इसमें दो लफ्ज इस्तेमाल किए गए हैं, मैं अब नाम लूंगा। आई० एम० सॉरी, ये यहां स्टेटमेंट बहुत बनाते हैं और बदकिस्मती से इसके अलावा हमारे पास कोई रास्ता नहीं है। हमारा कोई इरादा नहीं था किसी का नाम लेने का। इन्होंने वी लफ्ज बहुत सारी बातों में इस्तेमाल किया है लेकिन वी को एक्सप्लेन नहीं किया है क्योंकि मैंने इनकी लाई हुई लिस्ट को मिनिस्टर कन्सर्न्ड को ऐतराज करते हुए सुनाया नम्बर एक।

† شری سکندر بخت : یہ بل ہم بھی چاہتے ہیں - رات کے 12 بجے تک بیٹھینگے - وہ کرائینگے - بعد میں کرینگے - "مداخلت" ہماری بات سنئے . . "مداخلت" . . . مجھے آپکی اجازت کی ضرورت نہیں ہے صدر صاحبہ - میں یہ کہنا چاہتا ہوں کہ اسمیں دو لفظ استعمال کئے گئے ہیں میں اب نام لونگا "وی - ایم - سوری" یہ یہاں اسٹیٹمنٹ بہت بناتے ہیں اور بدقسمتی سے اسکے علاوہ ہمارے پاس کوئی راستہ نہیں ہے - ہمارا کوئی ارادہ نہیں تھا کسی کا نام لینے کا - انھوں نے "وی" لفظ بہت ساری باتوں میں استعمال کیا ہے لیکن "وی" کو ایکسپلین نہیں کیا گیا ہے - کیونکہ میں نے انکی لائی ہوئی لسٹ کو منسٹر کنسرن کو اعتراض کرتے ہوئے سنایا - نمبر ایک -]

क्योंकि मैंने इनकी लाई हुई लिस्ट को मिनिस्टर कंसर्न्ड को ऐतराज करते हुए सुना, नम्बर-1, मैंने इस हाऊस के पार्लियामेंट्री एफेयर्स मिनिस्टर को कहते हुए सुना है कि हमें नहीं मालूम यह "वी" कौन है। यह "वी"

†[] Transliteration in Arabic Script.

अगर इस्तेमाल किया जाए सब के अगेन्स्ट, किसी भी अपोजिशन के लीडर को लिस्ट के लाने से कंसल्ट नही किया गया। यह लिस्ट सिर्फ एक आदमी ने बनाकर भेज दी और इस हाऊस में कंसर्न्ड मिनिस्टर को मालूम नहीं, इस हाऊस के पार्लियामेंट्री एफ्फेयर्स मिनिस्टर को मालूम नहीं, दूसरे पार्लियामेंट्री एफ्फेयर्स मिनिस्टर को मालूम नहीं। एक आदमी खुदा जाने कहां बैठा हुआ है, डिस्टर्ब किया हाऊस की कार्रवाई को।... **(व्यवधान)**

सदर साहिबा, आपके चेंबर में जो मीटिंग हुई थी वह बगैर किसी नतीजे पर पहुंचे खत्म हो गई। यह लिस्ट कहां से पैदा हुई है, हम जानना चाहते हैं? इस लिस्ट की ऑथेंटीसिटी है क्या? ..**(व्यवधान)**.. नहीं, सदर साहिबा, यह तो कमाल है। किसी सिस्टम को मालूम नहीं। ..**(व्यवधान)** हम यह जानना चाहते है इसका होगा क्या? ....**(व्यवधान)**

اس حادثہ میں منسٹر کو معلوم نہیں - اس حادثہ کے پارلیمنٹری افیرس منسٹر کو معلوم نہیں - ایک آدمی خدا جانے کہاں بیٹھا ہوا ہے - جس سے حادثہ کی کارروائی کو .. "مداخلت" ... صدر صاحب - آپکے چیمبر میں جو میٹنگ ہوئی تھی وہ بغیر کسی نتیجہ پر پہنچے کی "آ تھنٹیسٹی" ہے کیا .. "مداخلت" ... نہیں صدر صاحب یہ تو کمال ہے کسی سسٹم کو معلوم نہیں .. "مداخلت" ... ہم یہ جاننا چاہتے ہیں اسکا ہوگا کیا -

THE DEPUTY CHAIRMAN: Shall we go to the Constitution (Amendment) Bill? ... (*Interruptions*).

SHRI GURUDAS DAS GUPTA: Madam, what is your ruling? ... (*Interruptions*).

SHRI SURESH KALMADI: Madam, first, let us take up the Constitution (Amendment) Bill. Then we can come back to this. We have to catch the flights.

SHRI GURUDAS DAS GUPTA: What is your ruling on this? (*Interruptions*).

THE DEPUTY CHAIRMAN: Please sit down. I will give my ruling.

SHRI GURUDAS DAS GUPTA: What is your ruling? ...(*Interruptions*).

THE DEPUTY CHAIRMAN: I am giving it. I want to give my ruling. How can I give my ruling when everybody is speaking? You

†[ ] شری گرداس گپتا "جاری":
لیکن میں نے انکی لالی پوری کسٹ کو منسٹر نشرن کو اعتراض کرتے ہوئے سنا -

نمبر ۱ - میں نے اس حادثہ کے پارلیمنٹری افیرس منسٹر کو کہتے ہوئے سنا ہے کہ میں نہیں معلوم یہ "دن" کون ہے - یہ "وی" اگر استعمال کیا جاتا ہے کے اگینسٹ - کسی بھی اپوزیشن کے لیڈر کو لسٹ کے لانے سے "کنسلٹ" نہیں کیا گیا - یہ لسٹ صرف ایک آدمی نے بنا کر بھیجدیا اور

†[] Transliteration in Arabic Script.

have asked for my ruling, but you don't listen to me. ...*(Interruptions)*. Shall we close this now?

SHRI GURUDAS DAS GUPTA: We want your ruling.

SHRI S. JAIPAL REDDY: I am on a point of order.

The Minister apologised for the procedural error, and he expressed ample regrets, but he has not suggested a method by which this mistake could be rectified.

SHRI MD. SALIM: Madam,...

THE DEPUTY CHAIRMAN: What is your problem now? ...*(Interruptions)*.

SHRI MD. SALIM: I am on a point of order.

THE DEPUTY CHAIRMAN: If you want my ruling. I can give it.

SHRI S. JAIPAL REDDY: Yes, we want your ruling. *(Interruptions)*.

SHRI GURUDAS DAS GUPTA: Where is the Minister of Parliamentary Affairs?

Mr. Jaipal Reddy he must come. come. Mr. Shukla must come... *(Interruptions)*.

THE DEPUTY CHAIRMAN: Mr. Gurudas Das Gupta please sit down. ... *(Interruptions)*.

SHRI S. JAIPAL REDDY: What is the fate of this Committee? ...*(Interruptions)*.

SHRI SURESH KALMADI: Till he comes let us have the Constitution (Amendment) Bill. ...*(Interruptions)*.

SHRI GURUDAS DAS GUPTA: No. Mr. Shukla must come here. ...*(Interruptions)*.

THE DEPUTY CHAIRMAN: I cannot even hear what everybody is saying ... *(Interruptions)*.

श्री चतुरानन मिश्र : अगर सरकार चाहती है कि हम लोग सलक्ट कमटी में कोआपरेट करें, तब तो इसको बदलें । अगर नही चाहती है तो अपने मेंबर्स से काम कराइए । ...(व्यवधान) हम लोग कमेटी में नहीं रहेगें । ...(व्यवधान)

THE DEPUTY CHAIRMAN: All right ... *(Interruptions)*.

SHRI MD. SALIM: Madam, one point.

THE DEPUTY CHAIRMAN: What is your one point? ....*(Interruptions)*.

SHRI MD. SALIM: If a Minister has the right to go straight to the Table of the Secretariat or to the Presiding Officer and to try to move a motion it will set a very wrong precedent. ...*(Interruptions)*.

SHRI DIGVIJAY SINGH (Bihar) A Minister has no business to go straight to the Secretary-General. ...*(Interruptions)*.

SHRI MD. SALIM: The Chairman has the right to permit it. The House has a right to know this. The Chairman has permitted the motion which they surreptitiously brought in in the afternoon during th discussion on the Private Member's Bill. ...*(Interruptions)*.

I want to draw your attention to this. Let me finish. ...*(Interruptions)*

THE DEPUTY CHAIRMAN: Shuklaji was here. *(Interruptions)*

SHRI MD. SALIM: Let me finish. ...*(Interruptions)*.

No it was not circulated to the House.

Madam, in the morning...*(Interruptions)*...

SHRI DIGVIJAY SINGH: Madam, I was here at that time. When she moved the motion I opposed it. Mr. Biplab and I were here.

SHRI MD. SALIM: Madam, through the Supplementary List of Business the motion was circulated. ...(*Interruptions*).

SHRI GURUDAS DAS GUPTA: We shall not function in the Committee.

THE DEPUTY CHAIRMAN: Please sit down.

SHRI S. JAIPAL REDDY: The Minister should be hauled up.

DR. BIPLAB DASGUPTA: We are boycotting the Committee.

THE DEPUTY CHAIRMAN: All right. That is your right.

SHRI GURUDAS DAS GUPTA: The Opposition shall not function in the Committee. Let the Minister run it.

THE DEPUTY CHAIRMAN: Okay. That is entirely your prerogative to be in the Committee or not.

SHRI S. JAIPAL REDDY: We want your ruling.

THE DEPUTY CHAIRMAN: Jaipalji, one minute, please. ...(*Interruptions*).

You keep on speaking. How can I give my ruling? Can two persons speak at the same time?

I have to ascertain the entire fact because now Mr. Digvijay Singh says that he opposed it. Until and unless I look at the record, I cannot give any ruling now.

The Constitution (Amendment) Bill is getting delayed. I reserve my ruling on this. I go over to the Constitution (Amendment) Bill.

DR. MURLI MANOHAR JOSHI (Uttar Pradesh): With all respect and humility, I say that this matter must be decided. ...(*Interruptions*)

SHRI SURESH KALMADI: That is over now, Madam.

DR. MURLI MANOHAR JOSHI: We have a right to know this. If the House is taken for a ride by the Parliamentary Affairs Minister ...(*Interruptions*).

श्री सिकन्दर बख्त : बिलकुल गलत बात है ।

†[شری سکندر بخت : بالکل غلط بات ہے]

श्री अजीत जोगी : इसे एक बार पास कर लेने दीजिए । ...(**व्यवधान**)...

SHRI S. JAIPAL REDDY: The motion must be kept in abeyance till you give your ruling.

उपसभापति : आप नोटिस दीजिए, मैं प्रिविलेज कमेटी को दे दूंगी ।

श्री सिकन्दर बख्त : सदर साहिबा, बिलकुल गलत बात है यह । ...(**व्यवधान**)... वह कहां से, घर से बैठे-बैठे हुक्म चलाता है ? ...(**व्यवधान**)...

†[شری سکندر بخت : صدر صاحبہ - بالکل غلط بات ہے یہ - ... "مداخلت" ... وہ کہاں سے گھر سے بیٹھے حکم چلاتا ہے - ...]

डॉ मुरली मनोहर जोशी : महोदया, उनको आप यहां बुलाएं ।

THE DEPUTY CHAIRMAN: Shuklaji was here

आप बाद में आए ।

SHRI DIGVIJAY SINGH: The Chair has given a ruling that this matter was frozen and that we would discuss the matter after the Private Member's Bill.

†[ ]Transliteration in Arabic Script.

AN HON. MEMBER: You should not put the condition. It will create a very bad name.

श्री अजीत जोशी : इस बिल को पास हो जाने दीजिए। . . . **(व्यवधान)** . . .

श्री सिकंदर बख्त : आप गलत बात करते हैं । क्या मतलब हुआ इसका ?

†[شری سکندر بخت : آپ غلط بات کرتے ہیں۔ کیا مطلب ہوا اسکا]

Why did you not restrain your Parliamentary Affairs Minister? Could you not restrain him? ...*(Interruptions)*.

श्री अजीत जोगी : एक मिनट में पास हो जाएगा यह बिल। . . . **(व्यवधान)** . . .

डॉ० मुरली मनोहर जोशी : महोदया, इस पर आप रूलिंग दे दीजिए। . . . . . **(व्यवधान)** . . . .

SHRI S. JAIPAL REDDY: Madam, I have a suggestion to make. You reserve your ruling. ...*(Interruptions)*.

THE DEPUTY CHAIRMAN: I said so. ....*(Interruptions)*.

SHRI S. JAIPAL REDDY: Pending your ruling, let the motion be kept in abeyance. That motion should be kept in abeyance.

SHRI GURUDAS DAS GUPTA: I support it, Madam. ...*(Interruptions)*.

श्री दिग्विजय सिंह : पास कराइए इस बिल को । हम पास कराते हैं। . . . . . **(व्यवधान)** . . . .

श्री अजीत जोगी : इस बिल को पास हो जाने दीजिए। . . . **(व्यवधान)** . . .

श्री सिकंदर बख्त : हर चीज बैठे-बैठे मैनिपुलेट कर रहे हैं । क्या कर रहे हैं ? . . . . **(व्यवधान)** . . .

†[ ]Transliteration in Arabic Script.

†[شری سکندر بخت : ہر چیز بیٹھے بیٹھے مینو پلیٹ کر رہے ہیں۔ کیا کر رہے ہیں۔ . . . "مداخلت" . . .]

You are manipulating the entire House....*(Interruptions)*.

SHRI SUSHILKUMAR SAMBHAJIRAO SHINDE (Maharashtra): We have no objection at all to discussing this matter. But lakhs of Scheduled Caste and Scheduled Tribe people are striving for their employment. ...*(Interruptions)*. We can discuss it after the Constitutional (Amendment) Bill has been passed. We have no objection. ...*(Interruptions)*....

THE DEPUTY CHAIRMAN: Will you please sit down?...*(Interruptions)*... Everyone please sit down. Please ... *(Interruptions)*... Please ... *(Interruptions)* ... Please.

श्री सिकंदर बख्त : सदर साहिबा, रूलिंग का क्या हुआ ? . . . **(व्यवधान)** . . .

†[شری سکندر بخت : صدر صاحبہ۔ رولنگ کا کیا ہوا . . . "مداخلت" . . .]

THE DEPUTY CHAIRMAN: If everybody sppeas, how can I give my ruling.

SHRI S. JAIPAL REDDY: Sure. ....*(Interruptions)*...

THE DEPUTY CHAIRMAN: Everybody please sit down. How can I give my ruling? You think that Mr. Digvijay Singh has said about it, I will have to look at the record and see what has happened really. As Mr. Shukla admitted...*(Interruptions)*... Mr. Jaipalji, when you interrupt, you interrupt my thoughts also. I am sorry. The Minister did

†[ ] Transliteration in Arabic script.

not consult me which is a prerequisite. Every paper, every Motion, every document, any request from any Minister in the House, all have to be cleared by the Chairman or by the Deputy Chairman. If the Chairman is not here, I have to clear it. If I am not here, anybody can ...*(Interruptions)*... Just one minute, Sikander Bakht Sahib. Let me complete my sentence. It was not complied with. This thing Mr. Shukla has admitted. I myself was surprised to see the list because I do not know anything about it. Dr. Biplab Dasgupta also came to me in an angry mood brought it to my notice.

SHRI DIGVIJAY SINGH: Madam, I also brought it to your notice.

THE DEPUTY CHAIRMAN: Yes. Mr. Digvijay Singh also brought it to my notice.. *(Interruptions)*...

अभी कुछ बोलना नहीं है।

I want to finish it and start the business please, because we have an important Bill. I understand that all of you want to go. But somehow I have to finish this matter. Until and unless I go through the whole thing, the whole business, I cannot give my ruling. I don't give a ruling which I have to take back or change I have to go through everything because everybody's sentiments are there. It is an important Bill. All of you are concerned about it. I will look into the record today. .. *(Interruptions)*...Let me find out, okay. Let me look at the record.

SHRI G. G. SWELL: Let there be no committee.

श्री सिकन्दर बख्त : सदर साहिबा, मैं सिर्फ एक बात कहना चाहता हूं। हमने मान लिया है जो कुछ आपने कहा है। हम यह ऐलान करना चाहते हैं--हमें अभी पता नहीं चल रहा है कि इस लिस्ट का स्टेटस क्या है। मैं यह ऐलान करना चाहता हूं कि अगर इस लिस्ट को इम्पोज किया गया तो हम इस सलेक्ट कमेटी में शरीक होने के लिए तैयार नहीं है। हम अपने मेम्बर्स से विदड्रा करा देंगे। यही मैं ऐलान करना चाहता हूं।

†[شری سکندر بخت: صدر صاحبہ۔ میں صرف ایک بات کہنا چاہتا ہوں۔ ہم نے مان لیا ہے جو کچھ آپنے کہا ہے ہم یہ اعلان کرنا چاہتے ہیں ہمیں ابھی پتہ نہیں چل رہا ہے کہ اس لسٹ کا "اسٹیٹس" کیا ہے۔ میں یہ اعلان کرنا چاہتا ہوں کہ اس لسٹ کو امپوز کیا جائے تو ہم اس سلیکٹ کمیٹی میں شریک ہونے کیلئے تیار نہیں ہیں۔ ہم اپنے ممبرس سے وڈرا کرا دینگے یہی میں اعلان کرنا چاہتا ہوں۔]

THE DEPUTY CHAIRMAN: I do not know.

SHRI GURUDAS DAS GUPTA: Madam, we all support this.

SOME HON. MEMBERS: We are all supporting it.

SHRI S. JAIPAL REDDY: We will all boycott the committee... *(Interruptions)*...

THE DEPUTY CHAIRMAN: That is your right. That is your absolute right. I cannot say anything about it. That is entirely...*(Interruptions)*....

SHRI DIGVIJAY SINGH: You are a witness to certain things.

श्री चतुरानन मिश्र : शक्ला जी को पता था कि वे अपना कदम रखेंगे। . **(व्यवधान)**

THE DEPUTY CHAIRMAN: Mishraji, please. It is entirely the

†[] Transliteration in Arabic Script.

prerogative of Members to work in a committee or not to work in a committee. So, please don't get agitated on this matter.

Now, we will take up the Constitutional Amendment Bill, 1995.

SHRI G. SWAMINATHAN: It can be passed without discussion.

THE DEPUTY CHAIRMAN: If you want to pass it without any discussion, it is entirely up to the House.

SHRI G. SWAMINATHAN: All of us agree that it should be passed without discussion.

श्री दिग्विजय सिंह : आप बिल पास कर दीजिए।

SHRI G. G. SWELL: Pass it, pass it. Put it to vote, Madam.

SHRI G. SWAMINATHAN: Madam, I propose it can be passed without discussion.

SOME HON. MEMBERS: We are all for this Bill. We all support it. Pass it without discussion.

कल्याण मंत्री (श्री सीताराम केसरी): उपसभापति महोदया, . . . (व्यवधान) . . .

THE DEPUTY CHAIRMAN: Just one minute, please. Do not get angry . . . (*Interruptions*). One second, please. केसरी जी यह इतना अच्छा बिल है, महत्वपूर्ण बिल है। दूसरी बातों पर गुस्से के बावजूद भी सब आपके साथ सहमत हैं। हम सब सहमत हैं। हम वोट नहीं कर सकते क्योंकि चेयर पर बैठे हैं, नहीं तो वहां से आपके साथ वोट करते। मगर आप जो बोलना चाहते हैं, वह आप टेबल पर रख दीजिये आपका भाषण और खाली मोशन मूव कर दीजिये। हम अभी आपका बिल पास करवा देते हैं।

श्री सीताराम केसरी : महोदया, मैं प्रस्ताव करता हूं . . . (व्यवधान)

श्री. विजय कुमार मल्होत्रा : अगर इनका भाषण होगा तो इधर से भी भाषण होगा (व्यवधान)

SHRI SURESH KALMADI: I am on a point of order. (*Interruptions*).

श्री दिग्विजय सिंह : महोदया, बैठाइये इन लोगों को। (व्यवधान) यह क्या बोल रहे हैं (व्यवधान) हम लोग बिल पास करवा रहे हैं (व्यवधान)

SHRI S. VIDUTHALAI VIRUMBI (Tamil Nadu): Madam, (*Interruptions*).

THE DEPUTY CHAIRMAN: Then you will have to sit here. There is some time allocated for it. I will allow everybody to speak, because I have to be fair. I have got names and I will allow everybody. (*Interruptions*) Mr. Virumbi, one minute, please. (*Interruptions*). Mr. Virumbi, I know you are retiring. (*Interruptions*). I want to tell one thing to the Members that Mr. Virumbi is one of those Members, who will be retiring and I do not know whether we meet again, whether he will be a Member of this House or not, but I can wish him well for the future and say good-bye to him for the present. I want to register that you wanted to speak and in the interest of the entire House you are withdrawing your name. At the last stage you have obliged us. The House will remember you ever for this.

THE CONSTITUTION (EIGHTY-SIXTH AMENDMENT) BILL, 1995

कल्याण मंत्री (श्री सीता राम केसरी) : महोदया, मैं प्रस्ताव करता हूं कि —

"भारत के संविधान का और संशोधन करने वाले विधेयक जिस रूप में वह लोकसभा द्वारा पारित किया गया है, पर विचार किया जाए"

THE DEPUTY CHAIRMAN: I shall now put to vote the motion for consideration of the Bill.